

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.6172 OF 2004

Sayeed M.Yusuf Mukadam, .. Petitioner

Vs

Noorunnisa Sayyed Mukadam, .. Respondent

Mr. Majeed Memon with Mr R.T.Lalwani, for the
petitioner.

Mr A.S.Bansal, for the respondent.

CORAM : D.B.BHOSALE, J.

DATE : 7th October, 2004.

PC:

1. Heard the learned counsel for the parties.

2. This petition challenges the two orders passed by the Family Court, both dated 25.5.2004, passed below Exhibit 9A and in Interim Application No.64/2004, by which the prayer of the petitioner to have access to the children has been denied. Without entering into the merits of the case, the learned counsel appearing for the parties have agreed for the following arrangements pending hearing and final disposal of the main petition bearing no.D-2/2004. Parties were also present in the Court.

(i) The respondent-mother shall give access of her two minor children, namely Saquib and Saahil, aged 7 and 10 years respectively, to the father on every working

Saturday of the Family Court commencing from 6.11.2004 in the Children Complex, within the Family Court premises at Bandra. between 11 am and 2 p.m. The respondent-wife, who is present in the Court, states that she will take the children to the Family Court on the days and time as aforesaid and will allow the children to meet the petitioner-father. The three sisters and father of the petitioner are allowed to meet the children during the three hours. As far as possible, the respondent-mother shall keep herself away during their meeting.

(ii) The petitioner and his aforesaid family members are not allowed to take the children outside the Court premises.

(iii) This arrangement is made without prejudice to the rights and legal contentions of the parties.

(iv) The Family Court shall decide the main petition on merits in accordance with law and uninfluenced by this order expeditiously. This petition is accordingly disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)